

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (Eastern Division)**

DIRECTV, Inc.) Case No.: 03cv12411 PBS
Plaintiff) AFFIDAVIT OF ATTORNEY IN
vs.) SUPPORT OF PLAINTIFF'S MOTION
) TO VACATE SUGGESTION OF
) BANKRUPTCY
William Newhall)
Defendant)

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action, and, on oath, states the following:

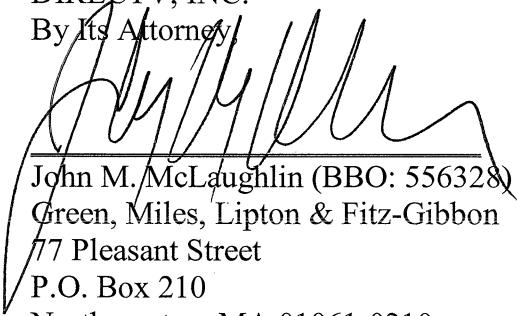
1. A Suggestion of Bankruptcy was docketed in this matter on April 27, 2004.
2. In a timely manner, I filed an adversarial proceeding in the Bankruptcy Action pursuant to 11 U.S.C. § 523(a)(6).
3. Thereafter, the Plaintiff and the Defendant, with his Bankruptcy Counsel, jointly moved the bankruptcy court to bring this action back to this Federal Court with the stipulation that should the Plaintiff prevail the District Court Action the Judgment would be non dischargeable pursuant to 11 U.S.C. § 523(a)(6). A copy (PDF) of the motion filed in the Bankruptcy Court is attached here to as exhibit A.
4. The Plaintiff also agreed and stipulated that it would amend its Complaint by withdrawing the Sixth Count of the original Complaint.
5. The Bankruptcy Court granted the parties Motion. A copy of the endorsement order evidencing the granting of the motion is attached here to as exhibit B.

6. Once the suggestion of bankruptcy is removed, the Plaintiff intends to file the Amended Complaint and serve copy upon the Defendant.
7. Thereafter, the Plaintiff would look to the Defendant for a responsive pleading to the Complaint as Amended.

Subscribed and sworn to, under the pains and penalties of perjury.

Respectfully Submitted for the Plaintiff,
DIRECTV, INC.
By Its Attorney,

1/21/05
Date



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